

REMARKS

The needed changes are made in the specification.

Claims 8 and 9 were canceled by the Preliminary Amendment filed with the application.

Reconsideration is respectfully requested, for the rejection of the claims as unpatentable over LEVAUGHN et al. in view of KAMMERER et al., or further in view of RUPPERT or LEVIN et al.

The present invention is concerned with an improved form of lancet for installation in an outer housing and which has provision for urging the lancet back into the housing once it has been fired. This is achieved simply and effectively by providing the lancet body with an integral spring arrangement in the form of undulating webs. Thus, when the lancet is fired it is driven forwardly by a main drive spring (8) (not part of this invention) to project from the housing and prick the skin, and the undulating webs are caused to concertina thus absorbing energy which is then released as the concertina-ed webs re-expand. This action assures retraction of the lancet and also the provision of integral webs leads to reduced component count, thereby reducing manufacturing and associated costs.

LEVAUGHN et al. disclose a device in which a lancet (30) having a lancet body (32) and a lancet needle (34) is housed in a lancing device which comprises a main housing portion (12) and a movable housing portion (14) (column 2, lines 56-60 and 33-

40). The movable housing portion is pulled back in use to cock the device as shown in Figure 4. This compresses the main (and only) drive spring (42). The return springs (50) are simply to return the movable housing portion back against the main housing portion following cocking. A trigger mechanism 22/80/76 is operated to release the cocked lancet so that it is driven forwardly by the drive spring 42 to prick the skin, and then rebounds back into the housing 12 to be captured by the pointed finger 68 engaging the toothed rack 70 on the lancet holder.

Claim 1 as filed is fully distinguished from this reference because the reference shows a simple form of lancet of generally conventional form, having a body and a needle. There is no return spring influence on the lancet to retract it. Instead retraction relies on the rebound effect of the main drive spring. In turn, this requires the provision of the capture components 68, 70 etc. to prevent the lancet body oscillating back out of the housing.

The compressive springs (50) in the reference cannot be equated to the spring members of the claim. The compressive springs (50) play no part in controlling the movement of the lancet body, and they do not act on the lancet body. They are not integral with the lancet body as required by the claim and if they were, the device of LEVAUGHN et al. would be inoperable.

KAMMERER et al. disclose an H-type fastener for fastening surgical tissue with a central spring structure. Apart

from being used in the huge general field of medicine, these documents relate to completely different fields, and given the absence in LEVAUGHN et al. of any teaching or hint of the provision of a return spring acting on the lancet, applicants submit that it would not be obvious to apply a spring to the LEVAUGHN et al. arrangement and still less to combine the teaching of a surgical fastening or suture with that of a lancing device. Even if the combination were feasible, it would not lead to a device with integrated undulating webs projecting down both sides of the lancet body. Indeed, the capture mechanism of LEVAUGHN et al. effectively teaches away from the use of a return spring as it attempts to address the same problem in a different way.

Accordingly claims 1 and 2 are believed to be fully patentable over LEVAUGHN et al., alone or combined with KAMMERER et al.

RUPPERT shows a lancing device with a cap at one end which can be pressed to cause this lancet to protrude from the other. It is at the opposite end to the lancet needle. The cap is not provided over the exposed end of this needle as defined in claim 3. It is not removable; instead, it is snapped onto the body and held in place by a circumferential flange (column 3, lines 25-29). It is not connected to any component by breakable connecting points nor is there any hint or suggestion of so doing. Claims 3 and 4 are therefore patentable over LEVAUGHN et

al. and KAMMERER et al. in view of RUPPERT.

LEVIN et al. disclose a housing drive spring and an activation mechanism, but there is no disclosure in LEVIN et al. or any of the other references of the features of a lancet body having integral webs projecting down both sides of the lancet body and acting as spring members.

Thus, the claims as originally filed are believed clearly to define invention over the cited references no matter how combined or applied.

In addition, new claims 12 and 13 are presented herewith, drawn more particularly to the combination of the casing, the lancet and the return springs (remembering that the rejections cannot provide such return springs, much less return springs of the undulating type, least of all return springs of resilient plastic of one piece with the body of the lancet).

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Robert J. Patch', written over a horizontal line.

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